ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

ARASH KETABCHI,
a/k/a "Zach Peterson,"
ANDREW OWIMRIN,
a/k/a "Andrew Owens,"
a/k/a "Jonathan Stewart,"
SHAHRAM KETABCHI,
a/k/a "Steve Ketabchi,"
WILLIAM SINCLAIR,
MICHAEL FINOCCHIARO,
a/k/a "Michael Foster,"
and JOSEPH McGOWAN,

Defendants.

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INDICTMENT

17 Cr. 17 CRIM 243

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: APR 19 2017

COUNT ONE

The Grand Jury charges:

1. From at least in or about October 2013 up to and including at least in or about March 2017, in the Southern District of New York and elsewhere, ARASH KETABCHI, a/k/a "Zach Peterson," ANDREW OWIMRIN, a/k/a "Andrew Owens," a/k/a "Jonathan Stewart," SHAHRAM KETABCHI, a/k/a "Steve Ketabchi," WILLIAM SINCLAIR, MICHAEL FINOCCHIARO, a/k/a "Michael Foster," and JOSEPH McGOWAN, the defendants, and others known and unknown, willfully and knowingly, did combine, conspire, confederate, and agree together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.

JUDGE STEIN

2. It was a part and object of the conspiracy that ARASH KETABCHI, a/k/a "Zach Peterson," ANDREW OWIMRIN, a/k/a "Andrew Owens," a/k/a "Jonathan Stewart," SHAHRAM KETABCHI, a/k/a "Steve Ketabchi," WILLIAM SINCLAIR, MICHAEL FINOCCHIARO, a/k/a "Michael Foster," and JOSEPH McGOWAN, the defendants, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

(Title 18, United States Code, Section 1349.)

COUNT TWO

The Grand Jury further charges:

3. From at least in or about October 2013 up to and including at least in or about December 2016, in the Southern District of New York and elsewhere, ARASH KETABCHI, a/k/a "Zach Peterson," ANDREW OWIMRIN, a/k/a "Andrew Owens," a/k/a "Jonathan Stewart," WILLIAM SINCLAIR, MICHAEL FINOCCHIARO, a/k/a "Michael Foster," and JOSEPH McGOWAN, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate

Title 18, United States Code, Sections 1956(a)(1)(A)(i) and 1957(a).

4. It was a part and an object of the conspiracy that ARASH KETABCHI, a/k/a "Zach Peterson," ANDREW OWIMRIN, a/k/a "Andrew Owens," a/k/a "Jonathan Stewart," WILLIAM SINCLAIR, MICHAEL FINOCCHIARO, a/k/a "Michael Foster," and JOSEPH McGOWAN, the defendants, and others known and unknown, in an offense involving and affecting interstate and foreign commerce, knowing that the property involved in certain financial transactions, to wit, cash transactions and wire transfers, represented the proceeds of some form of unlawful activity, would and did conduct and attempt to conduct such financial transactions, which in fact involved the proceeds of specified unlawful activity, to wit, wire fraud, with the intent to promote the carrying on of the specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i).

5. It was a further part and an object of the conspiracy that ARASH KETABCHI, a/k/a "Zach Peterson," ANDREW OWIMRIN, a/k/a "Andrew Owens," a/k/a "Jonathan Stewart," WILLIAM SINCLAIR, MICHAEL FINOCCHIARO, a/k/a "Michael Foster," and JOSEPH McGOWAN, the defendant, and others known and unknown, within the United States, in an offense involving and affecting interstate and foreign commerce, knowingly would and did engage and attempt to engage in monetary transactions in criminally derived property of

a value greater than $10,000 that was derived from specified unlawful activity, to wit, wire fraud, in violation of Title 18, United States Code, Section 1957(a).

(Title 18, United States Code, Section 1956(h).)

FORFEITURE ALLEGATIONS

6. As the result of committing the offense alleged in Count One of this Indictment, ARASH KETABCHI, a/k/a "Zach Peterson," ANDREW OWIMRIN, a/k/a "Andrew Owens," a/k/a "Jonathan Stewart," SHAHRAM KETABCHI, a/k/a "Steve Ketabchi," WILLIAM SINCLAIR, MICHAEL FINOCCHIARO, a/k/a "Michael Foster," and JOSEPH McGOWAN, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

7. As a result of committing the offense alleged in Count Two of this Indictment, ARASH KETABCHI, a/k/a "Zach Peterson," ANDREW OWIMRIN, a/k/a "Andrew Owens," a/k/a "Jonathan Stewart," WILLIAM SINCLAIR, MICHAEL FINOCCHIARO, a/k/a "Michael Foster," and JOSEPH McGOWAN, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any

and all property, real and personal, involved in said offense, or any property traceable to such property, including but not limited to a sum of money in United States currency representing the amount of property involved in said offense.

SUBSTITUTE ASSET PROVISION

8. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third person;

(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28 United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981 and 492;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)

FOREPERSON

JOON H. KIM
Acting United States Attorney

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SOUTHERN DISTRICT OF NEW YORK

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Defendants.

INDICTMENT

17 Cr.

(18 U.S.C. § 1349, 1956(h) and 2.)

JOON H. KIM
Acting United States Attorney.

Kim Johnnies

April 19, 2017
Filed Indictment. Case assigned to Judge Stein.
U.S.M.J. Debra Freeman